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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,684	01/16/2002	Deborah H. Miller	WMA99011D1	4722

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WORLDCOM, INC.
TECHNOLOGY LAW DEPARTMENT
1133 19TH STREET NW
WASHINGTON, DC 20036

EXAMINER

ESCALANTE, OVIDIO

ART UNIT PAPER NUMBER

2645

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,684

Applicant(s)

MILLER ET AL.

Examiner

Ovidio Escalante

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's amendment filed on October 10, 2002. **Claims 1-21 and 55** are now pending in the present application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1,3,4,7,8,11,13,14,17,18,21 and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Tessler et al. US Patent 6,289,090.

Regarding claims 1,11 and 21, Tessler teaches a method and apparatus to verify a dialed number and a machine-readable medium whose contents cause a computer system to verify a dialed number (col. 2, lines 49-57) comprising:

receiving a request from a calling party to send a first call station a number sent from said first call station and associated with a second call station, (the verification module “the processor within the SSP” verifies the calling party's services and receives the calling party's request for AIN services; col. 1, lines 50-53; col. 3, lines 45-52; the calling party requests the service by invoking an AIN trigger); and

sending said number to the calling party in accordance with said request, (col. 2, lines 49-57).

Regarding claims 3 and 13, Tessler teaches sending a reconnect request to said first call station after said number is sent, (col. 4, lines 11-20; after the caller receives the number, the system sends a reconnect/confirmation request to the caller);

receiving a response to said reconnect request, (col. 4, lines 12-13; the call sends a confirmation signal); and

sending a second call request to connect said first call station with said second call station, (col. 4, lines 11-20; the call is connected to the second call station after the caller agrees that the connection should be established).

Regarding claims 4 and 14, Tessler teaches wherein said second call request utilizes said number, (col. 4, lines 10-13; the same number that was originally dialed is used).

Regarding claims 7,8, 17 and 18, Tessler teaches wherein said first call station is associated with a display device, and said sending comprises sending said number to said display device and wherein the display device is a caller identification display device, (col. 3, lines 10-24).

Regarding claim 55, Tessler teaches a method to verify a dialed number (abstract), comprising:

receiving a call connection request from a calling party to a called party, (col. 1, lines 50-53);

receiving a request from the calling party to send a number associated with the called party to the calling party while the call is being connected, (col. 3, lines 45-52; the request can occur at different steps of the call model);

terminating the call connection, (col. 4, lines 13-20); and

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sending the number to the calling party based on the request, (col. 2, lines 49-57).

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 2,5,12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tessler US Patent 6,289,090.

Regarding claims 2 and 12, While Tessler does not specifically teach of terminating the first call request prior to sending said first call station said number the Examiner notes that it would have been obvious if not inherent that the system of Tessler would terminate the call if the system determines that the call request is inactive prior to sending said first call station said number (col. 4, lines 7-20), since the system would have no way of sending the number to the calling party if the calling party is no longer on the line, i.e., if the calling party is on-hook and since the system cannot connect the calling party to the called party if the calling party is no longer active.

Therefore, one skilled in the art would have modified the system of Tessler by terminating the call prior to sending the information to the calling party when the calling party is inactive so that system resources do not have to be used up by performing tasks that have already ended or tasks that cannot be completed.

Regarding claims 5 and 15, while Tessler teaches of allowing a user to reject or accept a call after receiving the called station number, Tessler does not specifically state of using another number, however one skilled in the art would have known that the system of Tessler is capable

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of utilizing a second number since a user will typically redial a second number if the system sends a number that was incorrectly dialed, (col. 4, lines 11-20).

Therefore, one skilled in the art would have modified the system of Tessler by utilizing a second number which is different from the first number so that the calling party can be able to connect to the correct called station if the calling party mistakenly entered the first number incorrectly.

6. Claims 6,9,10,16,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tessler in view of Baral et al. US Patent 4,932,042.

Regarding claims 6 and 16, while Tessler teaches of sending the calling party audio information (col. 9, lines 59-62), Tessler does not specifically teach of sending the calling party the called number in audio format.

Baral teaches that it was well known in the art to converting a number to audio form for dialed number verification and sending said number to said first call station in audio form, (figs. 1 ref. 22; fig. 2 ref. 125; col. 3, lines 56-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler by converting the called number to audio form as taught by Baral so that the calling party can audibly hear the number and will not have to look for the display. This will allow the user to operate the handset without reading any information that it provided to the user.

Regarding claims 9, 10, 19 and 20, while Tessler teaches of a generating billing data, Tessler does not specifically teach of sending an indicia of said calling party's request to the billing system.

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Baral teaches of sending indicia of said request to a billing system and recording said request by said billing system, (col. 6, lines 58-61); and billing said request to the calling party, (col. 6, lines 41-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler by sending indicia of said request to the billing system as taught by Baral so that the billing service will be able to determine whether or not the number verification has been used so that the calling party can be correctly billed for using the service.

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262. The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 872-9314.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ovidio Escalante
Examiner
Group 2645
November 12, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

